

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NATALIE REESER,

Plaintiff,

Hon. George Caram Steeh  
Case No.: 2:14-cv-11916

v.

HENRY FORD HOSPITAL,

Defendant.

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**DEFENDANT'S EMERGENCY MOTION TO EXTEND THE  
DISPOSITIVE MOTION CUT-OFF DATE**

**NOW COMES** Defendant, **HENRY FORD HOSPITAL** ("Henry Ford"),  
by and through its attorneys, **VARNUM LLP**, and for its Emergency Motion to  
Extend The Dispositive Motion Cut-Off Date pursuant to Federal Rule of Civil  
Procedure 6(b)(1), states as follows:

1. In this action, Plaintiff Natalie Reeser ("Plaintiff") alleges claims of retaliation under the Fair Labor Standards Act ("FLSA"), and violation of the Michigan's Whistleblower Protection Act ("WPA").

2. Plaintiff sought to depose Jill Hood, who was the Human Resources Senior Business Partner involved in the investigation of Plaintiff's abandoning her job and termination of Plaintiff from Defendant Henry Ford.

3. Ms. Hood is no longer employed by Defendant Henry Ford.

4. Ms. Hood's deposition was scheduled for March 27, 2015; however she indicated that she was only available in the morning on that date due to commitments to her new employer.

5. Plaintiff's Counsel indicated he needed a full day in which to depose Ms. Hood so the parties agreed to take her deposition after the close of discovery on May 5, 2015.

6. Defendant did not oppose Plaintiff's request to depose Ms. Hood beyond the discovery cut-off.

7. In fact, rather than require Plaintiff to locate and subpoena Ms. Hood to testify, Counsel for Defendant located Ms. Hood, obtained her permission to accept service on her behalf, and facilitated her appearance for her deposition.

8. The dispositive motion cut-off date in this matter is Monday, May 11, 2015.

9. On May 4, 2015, Defendant sent an email to Plaintiff's Counsel asking whether, subject to the Court's approval, he would provide the professional courtesy of stipulating to a short extension of the dispositive motion cut-off date to allow time to obtain Ms. Hood's deposition transcript in order to utilize it in Defendant's Motion for Summary Judgment.

10. Plaintiff's Counsel never responded to that email request.

11. On May 5, 2015, before Ms. Hood's deposition commenced, Defendant's Counsel asked Plaintiff's Counsel, in person, to agree to extend the dispositive motion cut-off date. Plaintiff's Counsel indicated that he would have a response to the request "at the end of the day." Upon being asked again by Defendant's Counsel, Plaintiff's Counsel stated that he "didn't think he would agree to the extension."

12. Later in the evening of May 5, 2015, Plaintiff's Counsel emailed Defendant's Counsel and stated that he would not agree to extend the Dispositive Motion cut-off date.

13. Plaintiff's Counsel's refusal to agree to a brief extension of the Dispositive Motion Cut-off Date is unreasonable.

14. Pursuant to Federal Rule of Civil Procedure 6(b)(1), Defendant seeks to extend the dispositive motion cut-off date by **4 days** in order to obtain Ms. Hood's deposition transcript for use in Defendant's Motion for Summary Judgment.

15. Good cause exists under Rule 6(b)(1) because at the conclusion of the deposition, the court reporter informed Defendant's Counsel that she would be unable to provide a transcript of Ms. Hood's deposition before May 11, 2015.

16. The requested 4 day extension should not affect any other dates set in this case and granting the extension would result in absolutely no prejudice to Plaintiff.

**WHEREFORE**, Defendant respectfully requests that this Honorable Court grant its Emergency Motion to Extend The Dispositive Motion Cut-Off Date from May 11, 2015 to May 15, 2015, and award such other relief as the Court deems appropriate.

Respectfully submitted,

VARNUM LLP

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Dated: May 6, 2015

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**BRIEF IN SUPPORT OF DEFENDANT’S EMERGENCY MOTION  
TO EXTEND DEADLINE FOR FILING DISPOSITIVE MOTIONS**

## **CONCISE STATEMENT OF ISSUES PRESENTED**

- I. Whether this Court should extend the Dispositive Motion Cut-Off date in this matter by four days in order to obtain the deposition transcript of a former Human Resources employee of Defendant whose deposition was completed after 5:00 p.m. on May 5, 2015, where no other Court dates need be adjourned and there is no prejudice to Plaintiff?

Defendant Henry Ford Hospital answers “yes”

For its Brief in Support of its Emergency Motion to Extend the Dispositive Motion Cut-Off Date, Defendant relies on the facts and authorities set forth in its Motion and the sound discretion of this Court.

Respectfully submitted,

VARNUM LLP

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Dated: May 6, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that on May 6, 2015, I caused the foregoing documents to be electronically filed with the Clerk of the Court using the ECF System, which will send notification of such filing to all Counsel of record.

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